

# EXHIBIT RR

In the U.S. District Court

District of Maryland, Northern Division

-----X  
Equal Employment :  
Opportunity Commission and :  
Kathy Koch :  
: NO. WDQ-CV-648

v. :  
:

LA Weight Loss Centers, :  
Inc. :  
-----X

October 11, 2005

DEPOSITION OF:

Lynda Wellington,

a witness, called by counsel pursuant to notice,  
commencing at 10:00 a.m., which was taken at Wolf,  
Block, 1401 New York Ave., N.W., Washington, D.C.

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1 record.

2 To whom did you recommend Mr. Smith?

3 A. The same person, Marsha, the Human  
4 Resources person.

5 Q. Advertise you recommended Mr. Smith to  
6 Human Resources do you know with whom  
7 Mr. Smith -- to whom Mr. Smith applied or what  
8 happened with his application?

9 A. I don't really recall.

10 I'm going to assume it went through the same  
11 procedure with Marsha doing the phone interview and  
12 from there -- at that time I did not have the D.C.  
13 locations so I was not responsible for the D.C.  
14 locations.

15 The area manager who was responsible did  
16 interview Germaine herself and I don't know if  
17 Colleen was a third person to interview him or not  
18 but I do know he was hired as a counselor in that  
19 location.

20 Q. Do you recall who the area supervisor in  
21 the D.C. area was at that time?

22 A. I want to say Kathy Arnold. I'm pretty

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1 sure it was Kathy.

2 Q. Ms. Wellington, you mentioned earlier  
3 that -- please correct me if I'm misstating your  
4 testimony -- that you were prompted to ask Human  
5 Resources if LA Weight Loss hires men because of  
6 statements and comments made in various supervisors  
7 meetings that you had attended.

8 A. Yes.

9 Q. What were those statements and comments?

10 A. The statements came from Eileen Stankunas  
11 making comments saying this is a woman's club, how  
12 she presented it, this is a woman's club. Men don't  
13 belong.

14 She made another comment but that was the  
15 one that stood out the most to me to say no men are  
16 allowed in this club here.

17 The next comment came from Colleen but this  
18 was after the hiring of William. She came to me  
19 I'll probably say within the first week of William's  
20 employment saying that he has to be on the ball  
21 immediately in reference to him learning all the  
22 center responsibilities and whatever is required of

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1 a center manager because that was a location that we  
2 held our meetings at which Eileen would attend.

3 I don't recall exactly how she put this to  
4 me but it was clear to me that I needed to do extra  
5 work with William in order for William to make the  
6 cut is what I gathered from her comments to me.

7 And again, we're talking a week with William  
8 being center manager which we had other managers  
9 that had more time to learn things but because our  
10 meetings were held here, Eileen would be in here and  
11 there was a male present in this center, he's got to  
12 be top notch or it's not going to work.

13 Q. And you understood that the explanation  
14 was he would have to be top notch because he was  
15 male?

16 A. Yes.

17 Q. Did you ever hear anyone at LA Weight Loss  
18 say that there was a policy of not hiring men?

19 A. No.

20 Q. Did you ever hear anyone at LA Weight Loss  
21 say that there was a practice of not hiring men?

22 MR. PHILLIPS: Using those words,

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1 "practice"?

2 MS. KARETNICK: Are you objecting as  
3 vague?

4 MR. PHILLIPS: Yes, I'll object as  
5 vague.

6 BY MS. KARETNICK:

7 Q. Ms. Wellington, let me first for purposes  
8 of this question define for you "policy" as a  
9 statement or rule by the company issued from company  
10 management that men shall not be hired.

11 Did you ever hear anyone say that LA Weight  
12 Loss had a policy of not hiring men?

13 A. No.

14 Q. By "practice" in this next question I'm  
15 referring not to a policy or rule of company  
16 management but a habit or a way of operating whereby  
17 people did not hire men? Did you ever hear anyone  
18 discuss a practice at LA Weight Loss of not hiring  
19 men?

20 MR. PHILLIPS: Same objection.

21 A. Verbally I did not hear anyone  
22 specifically say LA Weight Loss does not hire men.